

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Case No. 20-cv-954**

FARHAD AZIMA,

Plaintiff,

v.

NICHOLAS DEL ROSSO and VITAL
MANAGEMENT SERVICES, INC.,

Defendants.

**CONSENT MOTION TO
EXTEND TIME TO SELECT
MEDIATOR**

Pursuant to Rule 6 of the Federal Rules of Civil Procedure and Local Rule 6.1, Plaintiff Farhad Azima (“Plaintiff”) respectfully requests and moves, with the consent of Defendants Nicholas Del Rosso and Vital Management Services, Inc. (“Defendants”; collectively with Plaintiff, the “Parties”), for an extension of time to select a mediator for this case. In support of this motion, Plaintiff shows the following:

1. Plaintiff filed the complaint against Defendants on October 15, 2020. ECF No. 1.
2. On November 16, 2022, the Court entered a scheduling order stating, among other things, that “[i]f the parties cannot agree on a mediator within 21 days of this Order, the mediator shall be selected by the Clerk from the Court’s panel of mediators.” ECF No. 93 at p. 2.

3. The Parties have conferred and are working collaboratively toward selecting a mediator for this matter but have not yet identified a mediator that the parties believe would be most effective to assist in resolving the unusual dispute in this case.

4. Counsel for Plaintiff proposed and counsel for Defendants consent to this request for an additional 30 days to fully vet and agree upon a mediator for this dispute.

5. On December 8, 2022, the Parties received an email from Melisa Bond, Mediation Coordinator for this Court. Counsel for Plaintiff responded on the same day to inform Ms. Bond that the Parties working toward selecting a mediator and that the Parties had agreed to request a 30-day extension of time. Ms. Bond informed counsel for Plaintiff that she could not extend the deadline without an Order from the Court.

6. Plaintiff thus submits this consent motion for an extension of time in good faith and for good cause and not for the purpose of delay and requests that, because this is a consent motion, and the specified basis is set forth herein, this motion be treated as a memorandum supporting the same as contemplated by the Local Rules.

WHEREFORE, Plaintiff respectfully requests that the Court extend the deadline for the Parties to select a mediator by thirty (30) days up to and including January 6, 2023.

This, the 9th day of December, 2022.

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/s/ Ripley Rand

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**IN THE UNITED STATES DISTRICT COURT
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SERVICES, INC.,

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send electronic notification of this Notice to the following attorneys:

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This, the 9th day of December, 2022.

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